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TO: Commissioner for Patents
FAX NO.: 703-872-9306
FROM: Steven M. Hertzberg, Esq.
DATE: April 23, 2004
MATTER: Serial No. 09/458,319 Filed: December 10, 1999
DOCKET NO.: DIVA/043
APPLICANT: Smyth, et al.

The following has been received in the U.S. Patent and Trademark Office on the date of this facsimile:

☐ Petition
☐ Disclosure Statement & PTO-1449
☐ Priority Document
☐ Drawings (____ sheets) informal
☒ Response under 37 CFR §1.121 with amended
claims sheets

☒ Transmittal Letter (2 copies)
☐ Fee Transmittal (2 copies)
☐ Deposit Account Transaction
☒ Facsimile Transmission Certificate
dated 4/23/04

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Alberta Gamble

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*Alberta Gamble**ag*
Signature and date4/23/04

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PTO/SB/21 (08-00)

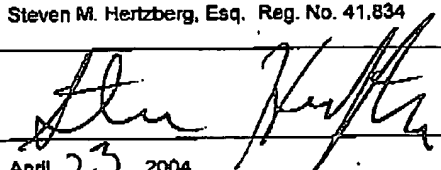
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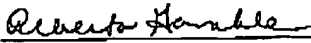
TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	08/458,319	
	Filing Date	December 10, 1999	
	First Named Inventor	Smyth	
	Group Art Unit	2611	
	Examiner Name	Raman, Usha	
Total Number of Pages in This Submission	10	Attorney Docket Number	DIVA/043

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Response to Notice of Non-Compliant Amendment <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) (3 sheets) (1 sheet annotated in red ink) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Facsimile transmission
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Firm or Individual name	Steven M. Hertzberg, Esq. Reg. No. 41,834	
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